S.B.Cr.Misc. IInd Bail App. No.5023/2007

(Virendra Singh alias Vikram Singh vs. State of Rajasthan)

Date of order : October 30, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.
Mr.H.S.Balot, for the complainant.

This is second bail application.

Heard learned counsel for the petitioner, Public Prosecutor for the State and the counsel appearing for the complainant. Perused the order impugned.

It is contended by learned counsel for the petitioner that though the petitioner has been convicted but instead of sentencing him for imprisonment at once, he was granted benefit of section 4 of Probation of Offenders Act and was released on probation. Learned counsel has shown me a certified copy of the judgment and orders. This fact has not been disputed by the learned Public Prosecutor. The offences under sections 323 and 354 I.P.C. both are bailable, however, there is an offence under section 458 I.P.C., which is non-bailable.

Having regard to the facts and circumstances of the case, without commenting on the merit of the case, taking into account the oral arguments advanced by learned counsel for parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Virendra Singh alias Vikram Singh s/o Abhay Singh be released on bail in CR. No.134/2007, P.S. Rohit, Distt. Pali provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-